

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 05-10521  
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<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT November 21, 2005 THOMAS K. KAHN CLERK</p>
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D. C. Docket No. 02-00112-CV-JTC-3

BAKER P.B.E. WAREHOUSE, INC.,

Plaintiff-Counter-  
Defendant-Appellant,

versus

AKZO NOBEL COATINGS, INC.,

Defendant-Counter-  
Claimant-Appellee,

CLASSIC PAINT COMPANY, INC.,  
d.b.a. MAC Specialty Coatings,  
HAROLD I. MOYERS,  
HAROLD B. MOYERS,

Defendants-Third-Party- Plaintiffs-Appellees,

versus

BARRY W. KIVES et al.,

Third-Party-Defendants.

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Appeal from the United States District Court  
for the Northern District of Georgia

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(November 21, 2005)

Before BIRCH and WILSON, Circuit Judges and ROYAL<sup>\*</sup>, District Judge.

PER CURIAM:

After a thorough review of the record, the briefs of the parties, and the presentation of oral argument, we find no reversible error. Accordingly, the judgment of the district court is **AFFIRMED**.

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<sup>\*</sup>Honorable C. Ashley Royal, United States District Judge for the Middle District of Georgia, sitting by designation.